

## Remarks

Claims 1-10 remain pending in the application. Claims 1-6 and 8-10 have been amended herein to address various 35 USC 112 second paragraph rejections. In addition, the specification and drawings have been amended. No new matter is believed added.

The Office Action cited numerous objections to the figures. Applicants herein amended Figures 2 and 3 using replacement sheets. Applicants traverse the objections to Figures 1, 5 and 6, and submit that the figures as shown are adequate to understand the application subject matter. The Office Action objected to Figure 4 as failing to provide steps discussed in the application. Applicants note that Figure 4 is not referred to in the specification as showing a set of steps, but rather depicts a format for encoding values (see page 20). Accordingly, Applicants submit that the figures as amended meet all statutory requirements.

Applicants have also amended the specification on page 12, and the Abstract to address additional informalities. Applicants further submit that one of ordinary skill in the art would understand how to implement a decoder that could “infer” information, as used on page 4, line 33.

Claims 1, 3 and 5-8 are rejected under 35 USC 103(a) over Gwendal Auffret et al., (“Audiovisual based Hypermedia Authoring: Using Structured Representations for Efficient Access to AV Documents”, Hypertest ’99, Darmstadt, Germany, Feb. 1999), hereinafter “Auffret,” in view of Simon North, et al., (SAMS Teach Yourself XML in 21 Days, Sam’s Publishing, Indianapolis, IN, 1999), herein after “North.” Claims 2 and 4 are rejected under 35 USC 103(a) over Auffret in view of North and further in view of

Michael J. Hu, et al., (“Multimedia description Framework (MDF) for Content Description of Audio/Visual Documents”, June 2, 1999), hereinafter “Hu.”

Applicants respectfully traverse the 35 USC 103(a) rejections for the following reasons. “To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” MPEP 706.02(j).

With regard to claim 1 (and similarly independent claims 3, 5 and 6), Applicants respectfully submit that the prior art fails to teach or suggest all of the claim limitations. For instance, claim 1 recites “providing a *table* derived from said schema ....” The Office Action alleges that this is taught in Auffret in Figures 7 and 11, as well as the first paragraph on page 174. However, it is clear that these sections do not teach or suggest tables. Instead, they show and describe AEDI graph structures, where an “AEDI description is a **graph** containing description objects.” (See page 174, first paragraph, emphasis added.) The application described by Auffret provides “dynamic linking among elements of [a] database” in order to allow browsing of the database. (See page 176 relating to Figure 11.) There is simply no suggestion of providing a table to obtain “a sequence of the retrieved identification information” in order to encode a description element.

Moreover, Auffret clearly does not provide the step of encoding a description element as a fragment “comprising said content and a sequence of the retrieved

identification information.” The structured encoding referred to in Auffret refers instead to using “XML as an exchange format for AEDI descriptions.” (See page 175.) There is no teaching or suggestion of a fragment that includes a *sequence* of retrieved identification information.

Moreover, contrary to what is alleged in the Office Action, North fails to teach scanning a hierarchical memory representation of said instance from parent description elements to child description elements *until reaching the description element to be encoded*, and *retrieving the identification information of each scanned description element from said table*. North describes a general method for traversing node hierarchies. It does not relate to encoding, so it does not teach or suggest the feature of scanning until a description element to be encoded is reached, nor does it teach retrieving identification information from a table. Accordingly, because the combination of Auffret and North fail to teach these features, Applicants submit that claims 1, 3, and 5-8 are allowable.

With regard to claims 2 and 4, Hu fails to remedy the above-mentioned deficiencies. Accordingly, Applicant submits that these claims are allowable for the reasons stated above.

Claims 9-10 were rejected under 35 USC 101 as failing to described something that is tangibly embodied. Claims 9-10 were also rejected under 35 USC 102(b) as being anticipated by Auffret. Applicants have herein amended claims 9 and 10 to address to 35 USC 101 rejections.

With regard to claim 9, the claim now recites, “wherein the sequence of identification information is usable by the decoder as a key to decode the encoded

description element.” Applicant submits that the claim now presents statutory subject matter. With regard to claim 10, the claim now comprises a table embodied in a decoder, which Applicant submits is statutory subject matter.

Applicants also traverse the 35 USC 102(b) rejections to claims 9 and 10 for the reasons stated above, as they apply to claims 9 and 10. Namely, e.g., Auffret does not teach a table and/or sequence of identification information as claimed in claims 9 and 10. Accordingly, Applicants submit that claims 9 and 10 are not anticipated by Auffret.

Applicants respectfully submit that the application is in condition for allowance. If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants’ undersigned representative at the telephone number listed below.

Respectfully submitted,

Dated: 4/26/05



Michael F. Hoffman  
Reg. No. 40,019

Hoffman, Warnick & D’Alessandro LLC  
Three E-Comm Square  
Albany, NY 12207  
(518) 449-0044 - Telephone  
(518) 449-0047 - Facsimile